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असाधारण

EXTRAORDINARY

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PART II—Section 2

प्रधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on the 29th July, 1968:—

Bill No. 65 of 1967

A Bill further to amend the Army and Air Force (Disposal of Private Property) Act, 1950 and the Navy Act, 1957.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Army, Air Force and Naval Law Short title. (Amendment) Act, 1968.

2. In section 10 of the Army and Air Force (Disposal of Private Property) Act, 1950, for the words "five thousand", the words "ten thousand" shall be substituted.

Amend-
ment of
section
10 of Act
40 of 1950.

3. In clause (b) of section 176 of the Navy Act, 1957, for the words "five thousand rupees in value, the prescribed person may," the words "ten thousand rupees in value and" shall be substituted.

Amend-
ment of
section
176 of
Act 62 of
1957.

STATEMENT OF OBJECTS AND REASONS

Under section 10 of the Army and Air Force (Disposal of Private Property) Act, 1950, movable property and money belonging to a person subject to the Army Act, 1950, or the Air Force Act, 1950, may be delivered or paid by the prescribed authority to the persons appearing to such authority to be entitled to such property and money, without requiring the production of any probate, letters of administration, succession certificate or other such conclusive evidence of title. This provision, however, applies only where the total amount or value of the property and money does not exceed five thousand rupees. In cases where the total amount or value exceeds five thousand rupees, the heirs of the deceased person are required to establish their title by production of evidence as mentioned above. In the case of persons subject to the Navy Act, 1957, section 176 of that Act makes provisions similar to those contained in section 10 of the Army and Air Force (Disposal of Private Property) Act, 1950.

2. Obtaining of a succession certificate or other evidence of title as aforesaid from a court of law involves expensive, troublesome and time-consuming procedure. The figures of the last few years indicate that a large number of cases where the amount or value of the property and money exceeded five thousand rupees could not be disposed of within a reasonable time mainly due to the requirement of production of succession certificate, etc., resulting in great hardship to the heirs of the persons belonging to the Army, Air Force or Navy. It is therefore, proposed to amend section 10 of the Army and Air Force (Disposal of Private Property) Act, 1950, and section 176 of the Navy Act, 1957, to raise the limit from five thousand rupees to ten thousand rupees

3. The Bill seeks to achieve the above object.

NEW DELHI;
The 29th June, 1968

SWARAN SINGH

S. L. SHAKDHER,
Secretary.